

SENATE BILL 3571  
By Person, Curtis

AN ACT to amend Tennessee Code Annotated, Title 55,  
Chapter 10, Part 1, relative to motor vehicle  
accident reports.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-108, is amended by deleting the section in its entirety and by substituting instead the following language:

55-10-108.

(a) The department may require any driver of a vehicle involved in an accident of which report must be made as provided in this section to file supplemental reports whenever the original report is insufficient in the opinion of the department and may require witnesses of accidents to render reports to the department.

(b) Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident, whether such accident has occurred on a highway within this state or on privately owned real property, either at the time of and at the scene of the accident or thereafter, by interviewing the participants or witnesses, shall, within seven (7) calendar days after completing such investigation, forward a written report of such accident to the department, and a copy thereof shall be kept in the various district offices of the Tennessee highway patrol. Any motor vehicle officer investigating any accident, at the time of and at the scene of the accident, may have the parties exchange insurance information, which would include the name of each party's insurance company and the location of an agency of such insurance company.

(c) Whenever an accident occurs involving operators of railroad locomotives, law enforcement officers making written reports of such accidents shall enter the operating

permit number issued by the employing railroad instead of the operator's motor vehicle license number.

(d) Upon written request to the commissioner of safety in Nashville by the driver or owner of a vehicle involved in such an accident, or the driver's or owner's agent or legal representative, a copy of any written report of a motor vehicle accident investigated by the department shall be forwarded to the requesting party, such written request to be accompanied by four dollars (\$4.00) in cash or check made payable to the commissioner which shall be expendable receipts of the department. Such report under subsection (b) shall not be considered confidential within the meaning of § 55-10-114(a). Such forwarded report shall exclude automobile liability insurance information. Copies of any written reports of a motor vehicle accident investigated by the department which are on file in the various district offices of the Tennessee highway patrol shall be made available for inspection by the parties hereinabove set forth, and may be obtained from the station by paying the fee of four dollars (\$4.00).

(e) The department of safety shall monitor written reports of accidents forwarded to the department by law enforcement agencies to ensure that such reports are being forwarded timely. The department shall notify any law enforcement agency which fails consistently to forward such reports within seven (7) calendar days pursuant to the provisions of subsection (b).

(f) Any written report of a motor vehicle accident investigated by the department or prepared pursuant to subsection (b) shall be open to public inspection as a public record under the provisions of the Tennessee public records law, title 10, chapter 7. The following information shall be excluded from public inspection:

- (1) Information on automobile liability insurance;
- (2) Driver, passenger and witness driver's license numbers;

(3) Driver, passenger and witness telephone numbers;

(4) Driver, passenger and witness addresses; and

(5) Driver, passenger and witness dates of birth.

(g) It is an offense punishable as a Class C misdemeanor for any person to knowingly use such written report or information contained in the report for solicitation that is prohibited by a standard of conduct or practice of any profession licensed by the state.

(h) A person who holds a professional license or certification who uses information obtained pursuant to this section in violation of a code of professional ethics or rule of professional conduct may be subject to disciplinary action by the board, commission or other entity with regulatory oversight of the license or certification of such person.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.